

Title: Katigbak vs. The Solicitor General

Facts:

The case revolves around Alejandro Katigbak and Mercedes K. Katigbak (plaintiffs-appellants) challenging the constitutionality of Republic Act No. 1379, which involves forfeiture of property unlawfully acquired by a public officer or employee, in favor of the State. This legal battle commenced from two actions filed in the Court of First Instance of Manila.

1. The first, Civil Case No. 30823, was initiated by the Katigbaks seeking to enjoin the Solicitor General from filing a forfeiture complaint under RA 1379, to declare the statute unconstitutional as it pertains to properties acquired before the law's passage, for a new preliminary investigation, and excluding properties acquired while Alejandro was not in government service. They also sought damages against NBI officers and the Investigating Prosecutor.

2. The second, Civil Case No. 31080, was filed by the Republic of the Philippines against the Katigbaks for the forfeiture of Alejandro's properties allegedly obtained illegally while he served in various governmental roles, including as a Bureau of Customs examiner.

Both cases were tried jointly, resulting in a mixed judgment that dismissed the plaintiffs' complaints and counterclaims in the first action but ordered a lien of ₱100,000 (later reduced to ₱80,000) against Katigbak's properties from 1953, 1954, and 1955 in the second action. The Trial Court also found R.A. No. 1379 as not penal in nature but for the recovery of property held under an implied trust. The Katigbaks then moved for reconsideration/new trial, which was partially granted, followed by an appeal to the Court of Appeals, which certified the case to the Supreme Court due to the constitutional questions involved.

Issues:

1. Whether R.A. No. 1379 is an ex post facto law when applied to properties acquired before its passage, thus unconstitutional.

2. Whether R.A. No. 1379 compels a government official or employee to incriminate themselves, violating the due process of law.

Court's Decision:

The Supreme Court reversed and set aside the judgment of the lower court insofar as it declared the Katigbaks' property acquisitions illegal under R.A. No. 1379 and imposed a lien in favor of the Government. The Court found that applying forfeiture under R.A. No. 1379 to

properties acquired prior to its passage is unconstitutional as it acts as an ex post facto law, penalizing actions that were legal when committed. However, the Supreme Court affirmed the lower court's decision in all other respects, including the judgment on the legality of the preliminary investigation and the non-award of damages against the Prosecuting Fiscal.

Doctrine:

This case reaffirms that laws imposing penalties (such as forfeiture of property) cannot be applied retroactively without violating constitutional prohibitions against ex post facto laws. It also clarifies that forfeiture proceedings under R.A. No. 1379 are criminal or penal in nature, thereby implicating the constitutional right against self-incrimination.

Class Notes:

- An ex post facto law is one that applies retroactively, thereby changing the legal consequences of actions that were performed before the enactment of the law.
- R.A. No. 1379 involves forfeiture of property unlawfully acquired by a public official, but applying this law to acts committed before its passage violates the constitutional prohibition against ex post facto laws.
- Proceedings under R.A. No. 1379, despite being civil in form, are deemed penal or criminal, engaging the constitutional protection against self-incrimination.

Historical Background:

R.A. No. 1379, passed in 1955, represents the Philippine government's attempt to reclaim properties unlawfully acquired by public officers or employees. The Katigbak case underscores the tension between state efforts to combat corruption and protect public property, and constitutional protections against retroactive laws and self-incrimination, reflecting the judiciary's role in balancing these interests.